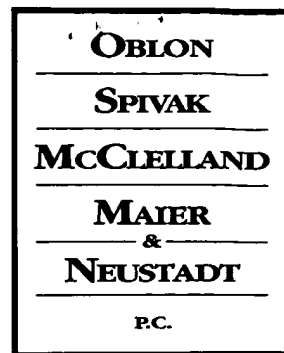




Docket No.: 199463US0X PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/674,496  
Applicants: Bernard DELOBEL  
Filing Date: January 11, 2001  
For: USE OF A POLYPEPTIDE DERIVED FROM A PA1B  
LEGUME ALBUMEN AS INSECTICIDE  
Group Art Unit: 1638  
Examiner: Cynthia E. Collins

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JUN 24 2003

TECH CENTER 1600/2900

SIR:

Attached hereto for filing are the following papers:

**Petition for Withdrawal of Holding of Abandonment Based on Timely Filed Responses Filed by Applicant; Notice of Abandonment Dated April 22, 2003; Copy Date-Stamped Filing Receipt Dated February 6, 2003; Copy of PTO Cover Letter Filed February 6, 2003; Return Copy Notice to Reply Dated January 6, 2003; Copy of Preliminary Amendment Filed February 6, 2003; Copy of Sequence Listing Paper Filed January 6, 2003; Copy of Office Communication – Notice to Comply Dated January 6, 2003; Copy of Computer Printout of Actions and Due Dates.**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
Norman F. Oblon

Registration No. 24,618



22850

(703) 413-3000 (phone)  
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1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,496	01/11/2001	Bernard Delobel	199463US/XPC T	1391

22850 7590 04/22/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

COLLINS, CYNTHIA E

ART UNIT

PAPER NUMBER

1638

DATE MAILED: 04/22/2003



Please find below and/or attached an Office communication concerning this application or proceeding.

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TECH CENTER 1600/2900

RECEIVED: 4-28-03  
OBLON, SPIVAK, McCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT.

Initials/Date Docketed: CBY 28-03  
Type of Resp(s): Res to w/d placed.  
Due Date(s): 6-22-03

Pae



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# **Notice of Abandonment**

Application No.

09/674,496

Examiner

Cynthia Collins

Applicant(s)

DELOBEL ET AL

Art Unit

1638

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

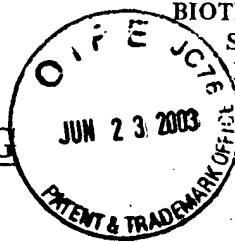
The communication filed February 6, 2003 is not responsive to the third sequence letter mailed January 6, 2003; see the attached CRF Diskette Problem Report.

DAVID T. FOX  
PRIMARY EXAMINER  
GROUP 180-1638

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

APPLICANT'S Copy

**RAW SEQUENCE LISTING  
ERROR REPORT**



BIOTECHNOLOGY  
SYSTEMS  
BRANCH



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The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09 1674,4963  
Source: O I P E  
Date Processed by STIC: 2/12/03

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JUN 24 2003  
TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 3.1 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



Raw Sequence Listing Error Summary

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MAR 04 2003  
TECH CENTER 1600/2000

**ERROR DETECTED**

**SUGGESTED CORRECTION**

SERIAL NUMBER:

091674,496

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 ☐ Wrapped Nucleics  
    Wrapped Aminos      The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 ☐ Invalid Line Length      The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 ☐ Misaligned Amino  
    Numbering      The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 ☐ Non-ASCII      The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 ☒ Variable Length      Sequence(s) \_\_\_\_\_ contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 ☐ PatentIn 2.0  
    "bug"      A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) \_\_\_\_\_. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 ☐ Skipped Sequences  
    (OLD RULES)      Sequence(s) \_\_\_\_\_ missing. If intentional, please insert the following lines for each skipped sequence:  
    (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
    (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
    This sequence is intentionally skipped  
  
    Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 ☐ Skipped Sequences  
    (NEW RULES)      Sequence(s) \_\_\_\_\_ missing. If intentional, please insert the following lines for each skipped sequence.  
    <210> sequence id number  
    <400> sequence id number  
    000
- 9 ☐ Use of n's or Xaa's  
    (NEW RULES)      Use of n's and/or Xaa's have been detected in the Sequence Listing.  
    Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
    In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
- 10 ☐ Invalid <213>  
    Response      Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 ☐ Use of <220>      Sequence(s) \_\_\_\_\_ missing the <220> "Feature" and associated numeric identifiers and responses.  
    Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.  
    (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 ☐ PatentIn 2.0  
    "bug"      Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 ☐ Misuse of n      n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

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JUN 24 2003  
TECH CENTER 1600/2000

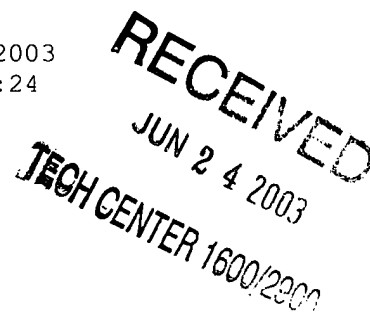


Does Not Comply  
Correction Note Needed

RAW SEQUENCE LISTING  
PATENT APPLICATION: US/09/674,496B

DATE: 02/12/2003  
TIME: 12:35:24

Input Set : A:\199463USOXPCT.ST25.txt  
Output Set: N:\CRF4\02122003\I674496B.raw



3 <110> APPLICANT: BERNARD, DELOBEL  
4 ANNIE, GRENIER  
5 JACQUES, GUEGEN  
6 ERIC, FERRASSON  
7 MBAIGUINAM, MBAILAO  
9 <120> TITLE OF INVENTION: USE OF POLYPEPTIDE DERIVED FROM A PA 1B LEGUME ALBUMEN AS  
INSECTICIDE  
11 <130> FILE REFERENCE: 199463USOXPCT  
13 <140> CURRENT APPLICATION NUMBER: US 09/674,496B  
C--> 14 <141> CURRENT FILING DATE: 2003-02-06  
16 <150> PRIOR APPLICATION NUMBER: PCT/FR99/01085  
17 <151> PRIOR FILING DATE: 1999-05-07  
19 <150> PRIOR APPLICATION NUMBER: FR 98/05877  
20 <151> PRIOR FILING DATE: 1998-05-11  
22 <160> NUMBER OF SEQ ID NOS: 8  
24 <170> SOFTWARE: PatentIn version 3.1  
26 <210> SEQ ID NO: 1  
27 <211> LENGTH: 13  
28 <212> TYPE: PRT  
29 <213> ORGANISM: ARTIFICIAL SEQUENCE  
31 <220> FEATURE:  
32 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE, RESIDUES 1, 3, 5, 7, 9, 11, AND 13 MAY BE  
A MA 33 XIMUM OF 10, 5, 10, 10, 4, 15, AND 10 AMINO ACIDS, RESPECTIVELY,  
34 AND SOME OF THESE AMINO ACIDS MAY BE MISSING.  
36 <220> FEATURE:  
37 <221> NAME/KEY: MISC\_FEATURE  
38 <222> LOCATION: (1)..(1)  
39 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
42 <220> FEATURE:  
43 <221> NAME/KEY: MISC\_FEATURE  
44 <222> LOCATION: (3)..(3)  
45 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
48 <220> FEATURE:  
49 <221> NAME/KEY: MISC\_FEATURE  
50 <222> LOCATION: (5)..(5)  
51 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
54 <220> FEATURE:  
55 <221> NAME/KEY: MISC\_FEATURE  
56 <222> LOCATION: (7)..(7)  
57 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
60 <220> FEATURE:  
61 <221> NAME/KEY: MISC\_FEATURE  
62 <222> LOCATION: (9)..(9)

Variable length -  
See error summary sheet  
item 5

63 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID

## RAW SEQUENCE LISTING

DATE: 02/12/2003

PATENT APPLICATION: US/09/674,496B

TIME: 12:35:24

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\02122003\I674496B.raw

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66 <220> FEATURE:
67 <221> NAME/KEY: MISC_FEATURE
68 <222> LOCATION: (11)..(11)
69 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID
72 <220> FEATURE:
73 <221> NAME/KEY: MISC_FEATURE
74 <222> LOCATION: (13)..(13)
75 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID
78 <400> SEQUENCE: 1
W--> 80 Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa
      81 1          5          10
84 <210> SEQ ID NO: 2
85 <211> LENGTH: 7
86 <212> TYPE: PRT
87 <213> ORGANISM: ARTIFICIAL SEQUENCE
89 <220> FEATURE:
90 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE
92 <220> FEATURE:
93 <221> NAME/KEY: MISC_FEATURE
94 <222> LOCATION: (1)..(1)
95 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and
threo
96          nine
99 <220> FEATURE:
100 <221> NAME/KEY: MISC_FEATURE
101 <222> LOCATION: (2)..(2)
102 <223> OTHER INFORMATION: X is proline
105 <220> FEATURE:
106 <221> NAME/KEY: MISC_FEATURE
107 <222> LOCATION: (6)..(6)
108 <223> OTHER INFORMATION: X is proline
111 <220> FEATURE:
112 <221> NAME/KEY: MISC_FEATURE
113 <222> LOCATION: (7)..(7)
114 <223> OTHER INFORMATION: X is proline
117 <220> FEATURE:
118 <221> NAME/KEY: MISC_FEATURE
119 <222> LOCATION: (3)..(3)
120 <223> OTHER INFORMATION: X is an amino acid chosen from phenylalanine, tryptophan and
tyro
121          sine
124 <220> FEATURE:
125 <221> NAME/KEY: MISC_FEATURE
126 <222> LOCATION: (4)..(4)
127 <223> OTHER INFORMATION: X is an amino acid chosen from aspartic acid or glutamic
acid
130 <220> FEATURE:
131 <221> NAME/KEY: MISC_FEATURE
132 <222> LOCATION: (5)..(5)
133 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine
and me
134          thionine
137 <400> SEQUENCE: 2

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## RAW SEQUENCE LISTING

DATE: 02/12/2003

PATENT APPLICATION: US/09/674,496B

TIME: 12:35:24

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\02122003\I674496B.raw

W--&gt; 139 Xaa Xaa Xaa Xaa Xaa Xaa Xaa

140 1 5

143 &lt;210&gt; SEQ ID NO: 3

144 &lt;211&gt; LENGTH: 4

145 &lt;212&gt; TYPE: PRT

146 &lt;213&gt; ORGANISM: ARTIFICIAL SEQUENCE

148 &lt;220&gt; FEATURE:

149 &lt;223&gt; OTHER INFORMATION: SYNTHETIC PEPTIDE

151 &lt;220&gt; FEATURE:

152 &lt;221&gt; NAME/KEY: MISC\_FEATURE

153 &lt;222&gt; LOCATION: (2)..(2)

154 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and threo

155 nine

158 &lt;220&gt; FEATURE:

159 &lt;221&gt; NAME/KEY: MISC\_FEATURE

160 &lt;222&gt; LOCATION: (4)..(4)

161 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

162 e, aspartic acid and glutamic acid

165 &lt;220&gt; FEATURE:

166 &lt;221&gt; NAME/KEY: MISC\_FEATURE

167 &lt;222&gt; LOCATION: (3)..(3)

168 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

169 e and a basic residue

172 &lt;220&gt; FEATURE:

173 &lt;221&gt; NAME/KEY: MISC\_FEATURE

174 &lt;222&gt; LOCATION: (1)..(1)

175 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

176 e and a basic residue

179 &lt;400&gt; SEQUENCE: 3

W--&gt; 181 Xaa Xaa Xaa Xaa

182 1

185 &lt;210&gt; SEQ ID NO: 4

186 &lt;211&gt; LENGTH: 9

187 &lt;212&gt; TYPE: PRT

188 &lt;213&gt; ORGANISM: ARTIFICIAL SEQUENCE

190 &lt;220&gt; FEATURE:

191 &lt;223&gt; OTHER INFORMATION: SYNTHETIC PEPTIDE

193 &lt;220&gt; FEATURE:

194 &lt;221&gt; NAME/KEY: MISC\_FEATURE

195 &lt;222&gt; LOCATION: (1)..(1)

196 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine and me

197 thionine

200 &lt;220&gt; FEATURE:

201 &lt;221&gt; NAME/KEY: MISC\_FEATURE

202 &lt;222&gt; LOCATION: (3)..(3)

203 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine and me

204 thionine

207 <220> FEATURE:

208 <221> NAME/KEY: MISC\_FEATURE

## RAW SEQUENCE LISTING

DATE: 02/12/2003

PATENT APPLICATION: US/09/674,496B

TIME: 12:35:24

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\02122003\I674496B.raw

209 <222> LOCATION: (2)..(2)  
 210 <223> OTHER INFORMATION: X is proline  
 213 <220> FEATURE:  
 214 <221> NAME/KEY: MISC\_FEATURE  
 215 <222> LOCATION: (4)..(4)  
 216 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 217 nine  
 220 <220> FEATURE:  
 221 <221> NAME/KEY: MISC\_FEATURE  
 222 <222> LOCATION: (8)..(8)  
 223 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 224 nine  
 227 <220> FEATURE:  
 228 <221> NAME/KEY: MISC\_FEATURE  
 229 <222> LOCATION: (6)..(6)  
 230 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine,  
 methi  
 231 onine, phenylalanine, tryptophan and tyrosine  
 234 <220> FEATURE:  
 235 <221> NAME/KEY: MISC\_FEATURE  
 236 <222> LOCATION: (9)..(9)  
 237 <223> OTHER INFORMATION: X is an amino acid chosen from phenylalanine, tryptophan and  
 tyro  
 238 sine  
 241 <220> FEATURE:  
 242 <221> NAME/KEY: MISC\_FEATURE  
 243 <222> LOCATION: (5)..(5)  
 244 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine  
 and me  
 245 thionine  
 248 <220> FEATURE:  
 249 <221> NAME/KEY: MISC\_FEATURE  
 250 <222> LOCATION: (7)..(7)  
 251 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine  
 and me  
 252 thionine  
 255 <400> SEQUENCE: 4  
 W--> 257 Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa  
 258 1 5  
 261 <210> SEQ ID NO: 5  
 262 <211> LENGTH: 5  
 263 <212> TYPE: PRT  
 264 <213> ORGANISM: ARTIFICIAL SEQUENCE  
 266 <220> FEATURE:  
 267 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE  
 269 <220> FEATURE:  
 270 <221> NAME/KEY: MISC\_FEATURE  
 271 <222> LOCATION: (1)..(1)  
 272 <223> OTHER INFORMATION: X is a basic amino acid or an amino acid chosen from valine,  
 leuc  
 273 ine, isoleucine and methionine

## RAW SEQUENCE LISTING

DATE: 02/12/2003

PATENT APPLICATION: US/09/674,496B

TIME: 12:35:24

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\02122003\I674496B.raw

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279 <223> OTHER INFORMATION: X is asparagine or glutamine or a basic amino acid
282 <220> FEATURE:
283 <221> NAME/KEY: MISC_FEATURE
284 <222> LOCATION: (3)..(3)
285 <223> OTHER INFORMATION: X is proline
288 <220> FEATURE:
289 <221> NAME/KEY: MISC_FEATURE
290 <222> LOCATION: (4)..(4)
291 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and
threo
292     nine
295 <220> FEATURE:
296 <221> NAME/KEY: MISC_FEATURE
297 <222> LOCATION: (5)..(5)
298 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and
threo
299     nine
302 <400> SEQUENCE: 5
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305 1           5
308 <210> SEQ ID NO: 6
309 <211> LENGTH: 37
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311 <213> ORGANISM: ARTIFICIAL SEQUENCE
313 <220> FEATURE:
314 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE
316 <400> SEQUENCE: 6
318 Ala Ser Cys Asn Gly Val Cys Ser Pro Phe Glu Met Pro Pro Cys Gly
319 1           5           10           15
322 Thr Ser Ala Cys Arg Cys Ile Pro Val Gly Leu Val Ile Gly Tyr Cys
323           20           25           30
326 Arg Asn Pro Ser Gly
327           35
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RAW SEQUENCE LISTING ERROR SUMMARY      DATE: 02/12/2003  
PATENT APPLICATION:    US/09/674,496B      TIME: 12:35:25

Input Set : A:\199463USOXPCT.ST25.txt  
Output Set: N:\CRF4\02122003\I674496B.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:1; Xaa Pos. 1,3,5,7,9,11,13  
Seq#:2; Xaa Pos. 1,2,3,4,5,6,7  
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Seq#:4; Xaa Pos. 1,2,3,4,5,6,7,8,9  
Seq#:5; Xaa Pos. 1,2,3,4,5

## VERIFICATION SUMMARY

DATE: 02/12/2003

PATENT APPLICATION: US/09/674,496B

TIME: 12:35:25

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\02122003\I674496B.raw

L:14 M:271 C: Current Filing Date differs, Replaced Current Filing Date  
L:80 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 after pos.:0  
L:139 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:2 after pos.:0  
L:181 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:3 after pos.:0  
L:257 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:4 after pos.:0  
L:304 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:5 after pos.:0



OSMM&N File No. 199463US0X

Dept.: CHEMICAL

By: NFO/TWB/aps

Serial No. 09/674,496

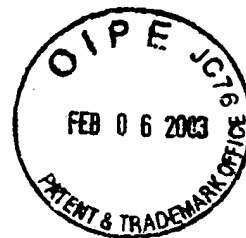
In the matter of the Application of: Bernard DELOBEL

For: USE OF A POLYPEPTIDE DERIVED FROM  
A PA1B LEGUME ALBUMEN AS INSECTICIDE

Due Date: February 6, 2003

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Dep. Acct. Order Form
- PTO Cover Letter
- Preliminary Amendment and Statement (3 pp.)
- Sequence Listing Paper (7 pp.)
- Sequence Listing Computer Readable Form (CRF) Diskette
- Return Copy - Notice to Comply



**RECEIVED**

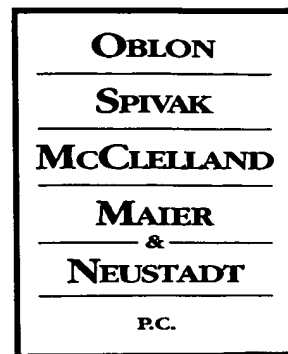
JUN 24 2003

TECH CENTER 1600/2900





Docket No.: 199463US0XPCT



ATTORNEYS AT LAW

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/674,496  
Applicants: Bernard DELOBEL  
Filing Date: January 11, 2001  
For: USE OF A POLYPEPTIDE DERIVED FROM A PA1B  
LEGUME ALBUMEN AS INSECTICIDE  
Group Art Unit: 1638  
Examiner: Cynthia E. Collins

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JUN 24 2003  
TECH CENTER 1600/2900

SIR:

Attached hereto for filing are the following papers:

**Preliminary Amendment and Statement (3 pp.)**  
**Sequence Listing Paper (7 pp.)**  
**Sequence Listing Computer Readable Form (CRF) Diskette**  
**Return Copy - Notice to Comply**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)


Norman F. Oblon  
Registration No. 24,618

Thomas W. Barnes, III  
Registration No. 52,595

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 
- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

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199463US0XPCT



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JUN 24 2003  
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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
BERNARD DELOBEL ET AL : EXAMINER: COLLINS, C. E.  
SERIAL NO: 09/674,496 :  
FILED: JANUARY 11, 2001 : GROUP ART UNIT: 1638  
FOR: USE OF POLYPEPTIDE DERIVED:  
FROM A PA 1B LEGUME ALBUMEN  
AS INSECTICIDE

PRELIMINARY AMENDMENT AND STATEMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the Communication of January 6, 2003, Applicants respectfully submit  
herewith an amendment, a Sequence Listing, and a computer-readable Sequence Listing.

IN THE SPECIFICATION

At page 19 (Abstract), after the last line, on the next page, please delete the Substitute Sequence Listing filed October 24, 2002, and insert the Substitute Sequence Listing attached hereto.

REMARKS

Claims 14-26 are pending.

Contents of the paper copy of the Substitute Sequence Listing and the computer-readable Sequence Listing filed herewith are identical. Support for all the sequences listed in the Substitute Sequence Listing can be found in the present application. No new matter is believed to be introduced by the submission of the Substitute Sequence Listing and the computer-readable Sequence Listing.

Applicants submit that this application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

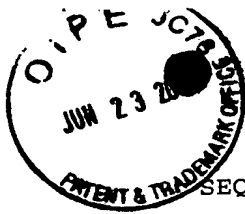
\_\_\_\_\_  
Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Thomas W. Barnes III, Ph.D.  
Registration No. 52,595



**22850**

Tel.: (703) 413-3000  
Fax: (703) 413-2220  
NFO:TWB  
I:\atty\Twb\199463us-am-c.wpd



SEQUENCE LISTING

<110> BERNARD, DELOBEL  
ANNIE, GRENIER  
JACQUES, GUEGEN  
ERIC, FERRASSON  
MBAIGUINAM, MBAILAO

<120> USE OF POLYPEPTIDE DERIVED FROM A PA 1B LEGUME ALBUMEN AS INSECTICIDE

<130> 199463USOXPCT

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<160> 8

<170> PatentIn version 3.1

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Arg Asn Pro Ser Gly  
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20 25 30

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35



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/674,496	01/11/2001	Bernard Delobel	199463USXPC7	1391

22850 7590 01/06/2003

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

COLLINS, CYNTHIA E

ART UNIT

PAPER NUMBER

1638

DATE MAILED: 01/06/2003

16

Please find below and/or attached an Office communication concerning this application or proceeding.

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JUN 24 2003

TECH CENTER 1600/2900

RECEIVED: 11/10/03OBLON, SPIVAK, MCCLELLAND  
MAIER & NEUSTADT, P.C.

DOCKETING DEPT

Initials/Date Docketed: 11/10/03Type of Resp(s): Resp to 11/10/03 - RespDue Date(s): 2/6/03



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/674496	01/11/2001	DELOBEL, BERNARD	199463US/XPC

EXAMINER	
Cynthia Collins	
ART UNIT	PAPER NUMBER
1638	16

Please find below a communication from the EXAMINER in charge of this application

The communication filed October 24, 2002 is not fully responsive to the Office communication mailed September 24, 2002 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the above-mentioned reply appears to be *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

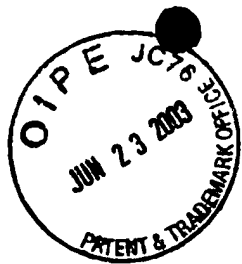
A reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio  
(<http://www.uspto.gov/ebs/efs/downloads/documents.htm>), EFS  
Submission User Manual - ePAVE)

2. Mailed to:  
U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

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3. Mailed by Federal Express, United Parcel Service or other delivery service to:

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Customer Window, Box Sequence  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

4. Hand Carried directly to the Customer Window at:  
2011 South Clark Place  
Crystal Plaza Two, Lobby, Room 1B03, Box Sequence,  
Arlington, Virginia 22202

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JUN 24 2003  
TECH CENTER 1600/2900

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Cynthia Collins whose telephone number is (703) 605-1210. If the examiner cannot be reached, inquiries can be directed to Supervisory Patent Examiner Amy Nelson whose telephone number is (703) 306-3218. The fax number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Cynthia Collins  
December 27, 2002

DAVID T. FOX  
PRIMARY EXAMINER  
GROUP 120/1638

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**RECEIVED**

JUN 24 2003

**Applicant Must Provide:**

**TECH CENTER 1600/2900**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

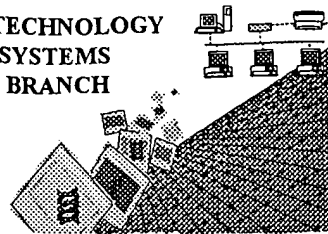
Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY**



BIOTECHNOLOGY  
SYSTEMS  
BRANCH



1632

#15

## RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/674,496A  
Source: 1622  
Date Processed by STIC: 11/7/2002

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TECH CENTER 1600/2900

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4212.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER  
VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND  
TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efb/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

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Sequence Listing Error Summary

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JUN 24 2003  
TECH CENTER 1600/2900

ERROR DETECTED

SUGGESTED CORRECTION

SERIAL NUMBER: 09/674,496A

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

- 1 ☐ Wrapped Nucleics  
Wrapped Aminos  
The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
- 2 ☐ Invalid Line Length  
The rules require that a line not exceed 72 characters in length. This includes white spaces.
- 3 ☐ Misaligned Amino  
Numbering  
The numbering under each 5<sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
- 4 ☐ Non-ASCII  
The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
- 5 ☒ Variable Length  
Sequence(s) 1 contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
- 6 ☐ PatentIn 2.0  
"bug"  
A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s)                     . Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
- 7 ☐ Skipped Sequences  
(OLD RULES)  
Sequence(s)            missing. If intentional, please insert the following lines for each skipped sequence:  
(2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
(i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  
(xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  
This sequence is intentionally skipped  
  
Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
- 8 ☐ Skipped Sequences  
(NEW RULES)  
Sequence(s)            missing. If intentional, please insert the following lines for each skipped sequence.  
<210> sequence id number  
<400> sequence id number  
000
- 9 ☐ Use of n's or Xaa's  
(NEW RULES)  
Use of n's and/or Xaa's have been detected in the Sequence Listing.  
Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  
In <220> to <223> section, please explain location of n or Xaa; and which residue n or Xaa represents.
- 10 ☐ Invalid <213>  
Response  
Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
- 11 ☐ Use of <220>  
Sequence(s)            missing the <220> "Feature" and associated numeric identifiers and responses.  
Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section.  
(See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
- 12 ☐ PatentIn 2.0  
"bug"  
Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
- 13 ☐ Misuse of n  
n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.



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JUN 24 2003  
1600

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## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/674,496A

DATE: 11/07/2002

TIME: 15:36:04

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\11072002\I674496A.raw

Does Not Comply  
Corrected Diskette Needed

3 <110> APPLICANT: BERNARD, DELOBEL  
4 ANNIE, GRENIER  
5 JACQUES, GUEGEN  
6 ERIC, FERRASSON  
7 MBAIGUINAM, MBAILAO  
9 <120> TITLE OF INVENTION: USE OF POLYPEPTIDE DERIVED FROM A PA 1B LEGUME ALBUMEN AS  
INSECTICIDE

11 <130> FILE REFERENCE: 199463USOXPCT  
13 <140> CURRENT APPLICATION NUMBER: US 09/674,496A  
14 <141> CURRENT FILING DATE: 2001-01-11  
16 <150> PRIOR APPLICATION NUMBER: PCT/FR99/01085  
17 <151> PRIOR FILING DATE: 1999-05-07  
19 <150> PRIOR APPLICATION NUMBER: FR 98/05877  
20 <151> PRIOR FILING DATE: 1998-05-11  
22 <160> NUMBER OF SEQ ID NOS: 8  
24 <170> SOFTWARE: PatentIn version 3.1  
26 <210> SEQ ID NO: 1  
27 <211> LENGTH: 13  
28 <212> TYPE: PRT  
29 <213> ORGANISM: ARTIFICIAL SEQUENCE  
31 <220> FEATURE:  
32 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE, RESIDUES 1, 3, 5, 7, 9, 11, AND 13 MAY BE

*variable length is not permitted -  
see item 5 on Errata Summary Sheet*

A MA

33 XIMUM OF 10, 5, 10, 10, 4, 15, AND 10 AMINO ACIDS, (RESPECTFULLY) do you mean?  
34 AND SOME OF THESE AMINO ACIDS MAY BE MISSING. "respectively?"  
36 <220> FEATURE:  
37 <221> NAME/KEY: MISC\_FEATURE  
38 <222> LOCATION: (1)..(1)  
39 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
42 <220> FEATURE:  
43 <221> NAME/KEY: MISC\_FEATURE  
44 <222> LOCATION: (3)..(3)  
45 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
48 <220> FEATURE:  
49 <221> NAME/KEY: MISC\_FEATURE  
50 <222> LOCATION: (5)..(5)  
51 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
54 <220> FEATURE:  
55 <221> NAME/KEY: MISC\_FEATURE  
56 <222> LOCATION: (7)..(7)  
57 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID  
60 <220> FEATURE:  
61 <221> NAME/KEY: MISC\_FEATURE  
62 <222> LOCATION: (9)..(9)

63.<223>OTHER INFORMATION: X IS ANY ONE AMINO ACID

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/674,496A

DATE: 11/07/2002

TIME: 15:36:04

Input Set : A:\199463USOXPC.T.ST25.txt

Output Set: N:\CRF4\11072002\I674496A.raw

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66 <220> FEATURE:
67 <221> NAME/KEY: MISC_FEATURE
68 <222> LOCATION: (11)..(11)
69 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID
72 <220> FEATURE:
73 <221> NAME/KEY: MISC_FEATURE
74 <222> LOCATION: (13)..(13)
75 <223> OTHER INFORMATION: X IS ANY ONE AMINO ACID
78 <400> SEQUENCE: 1
W--> 80 Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa Cys Xaa
81 1 5 10
84 <210> SEQ ID NO: 2
85 <211> LENGTH: 7
86 <212> TYPE: PRT
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95 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and
threo
96 nine
99 <220> FEATURE:
100 <221> NAME/KEY: MISC_FEATURE
101 <222> LOCATION: (2)..(2)
102 <223> OTHER INFORMATION: X is proline
105 <220> FEATURE:
106 <221> NAME/KEY: MISC_FEATURE
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108 <223> OTHER INFORMATION: X is proline
111 <220> FEATURE:
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113 <222> LOCATION: (7)..(7)
114 <223> OTHER INFORMATION: X is proline
117 <220> FEATURE:
118 <221> NAME/KEY: MISC_FEATURE
119 <222> LOCATION: (3)..(3)
120 <223> OTHER INFORMATION: X is an amino acid chosen from phenylalanine, tryptophan and
tyro
121 sine
124 <220> FEATURE:
125 <221> NAME/KEY: MISC_FEATURE
126 <222> LOCATION: (4)..(4)
127 <223> OTHER INFORMATION: X is an amino acid chosen from aspartic acid or glutamic
acid
130 <220> FEATURE:
131 <221> NAME/KEY: MISC_FEATURE
132 <222> LOCATION: (5)..(5)
133 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine
and me
134 thionine
137 <400> SEQUENCE: 2

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## RAW SEQUENCE LISTING

DATE: 11/07/2002

PATENT APPLICATION: US/09/674,496A

TIME: 15:36:04

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\11072002\I674496A.raw

W--&gt; 139 Xaa Xaa Xaa Xaa Xaa Xaa Xaa

140 1 5

143 &lt;210&gt; SEQ ID NO: 3

144 &lt;211&gt; LENGTH: 4

145 &lt;212&gt; TYPE: PRT

146 &lt;213&gt; ORGANISM: ARTIFICIAL SEQUENCE

148 &lt;220&gt; FEATURE:

149 &lt;223&gt; OTHER INFORMATION: SYNTHETIC PEPTIDE

151 &lt;220&gt; FEATURE:

152 &lt;221&gt; NAME/KEY: MISC\_FEATURE

153 &lt;222&gt; LOCATION: (2)..(2)

154 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and threo

155 nine

158 &lt;220&gt; FEATURE:

159 &lt;221&gt; NAME/KEY: MISC\_FEATURE

160 &lt;222&gt; LOCATION: (4)..(4)

161 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

162 e, aspartic acid and glutamic acid

165 &lt;220&gt; FEATURE:

166 &lt;221&gt; NAME/KEY: MISC\_FEATURE

167 &lt;222&gt; LOCATION: (3)..(3)

168 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

169 e and a basic residue

172 &lt;220&gt; FEATURE:

173 &lt;221&gt; NAME/KEY: MISC\_FEATURE

174 &lt;222&gt; LOCATION: (1)..(1)

175 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine, threonin

176 e and a basic residue

179 &lt;400&gt; SEQUENCE: 3

W--&gt; 181 Xaa Xaa Xaa Xaa

182 1

185 &lt;210&gt; SEQ ID NO: 4

186 &lt;211&gt; LENGTH: 9

187 &lt;212&gt; TYPE: PRT

188 &lt;213&gt; ORGANISM: ARTIFICIAL SEQUENCE

190 &lt;220&gt; FEATURE:

191 &lt;223&gt; OTHER INFORMATION: SYNTHETIC PEPTIDE

193 &lt;220&gt; FEATURE:

194 &lt;221&gt; NAME/KEY: MISC\_FEATURE

195 &lt;222&gt; LOCATION: (1)..(1)

196 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine and me

197 thionine

200 &lt;220&gt; FEATURE:

201 &lt;221&gt; NAME/KEY: MISC\_FEATURE

202 &lt;222&gt; LOCATION: (3)..(3)

203 &lt;223&gt; OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine and me

204 thionine

## RAW SEQUENCE LISTING

DATE: 11/07/2002

PATENT APPLICATION: US/09/674,496A

TIME: 15:36:04

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\11072002\I674496A.raw

209 <222> LOCATION: (2)..(2)  
 210 <223> OTHER INFORMATION: X is proline  
 213 <220> FEATURE:  
 214 <221> NAME/KEY: MISC\_FEATURE  
 215 <222> LOCATION: (4)..(4)  
 216 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 217 nine  
 220 <220> FEATURE:  
 221 <221> NAME/KEY: MISC\_FEATURE  
 222 <222> LOCATION: (8)..(8)  
 223 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 224 nine  
 227 <220> FEATURE:  
 228 <221> NAME/KEY: MISC\_FEATURE  
 229 <222> LOCATION: (6)..(6)  
 230 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine,  
 methi  
 231 onine, phenylalanine, tryptophan and tyrosine  
 234 <220> FEATURE:  
 235 <221> NAME/KEY: MISC\_FEATURE  
 236 <222> LOCATION: (9)..(9)  
 237 <223> OTHER INFORMATION: X is an amino acid chosen from phenylalanine, tryptophan and  
 tyro  
 238 sine  
 241 <220> FEATURE:  
 242 <221> NAME/KEY: MISC\_FEATURE  
 243 <222> LOCATION: (5)..(5)  
 244 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine  
 and me  
 245 thionine  
 248 <220> FEATURE:  
 249 <221> NAME/KEY: MISC\_FEATURE  
 250 <222> LOCATION: (7)..(7)  
 251 <223> OTHER INFORMATION: X is an amino acid chosen from valine, leucine, isoleucine  
 and me  
 252 thionine  
 255 <400> SEQUENCE: 4  
 W--> 257 Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa Xaa  
 258 1 5  
 261 <210> SEQ ID NO: 5  
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 263 <212> TYPE: PRT  
 264 <213> ORGANISM: ARTIFICIAL SEQUENCE  
 266 <220> FEATURE:  
 267 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE  
 269 <220> FEATURE:  
 270 <221> NAME/KEY: MISC\_FEATURE  
 271 <222> LOCATION: (1)..(1)  
 272 <223> OTHER INFORMATION: X is a basic amino acid or an amino acid chosen from valine,  
 leuc  
 273 ine, isoleucine and methionine

276 <220> FEATURE:  
277 <221> NAME/KEY: MISC\_FEATURE  
278 <222> LOCATION: (2)..(2)

## RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/674,496A

DATE: 11/07/2002

TIME: 15:36:04

Input Set : A:\199463USOXPCT.ST25.txt

Output Set: N:\CRF4\11072002\I674496A.raw

279 <223> OTHER INFORMATION: X is asparagine or glutamine or a basic amino acid  
 282 <220> FEATURE:  
 283 <221> NAME/KEY: MISC\_FEATURE  
 284 <222> LOCATION: (3)..(3)  
 285 <223> OTHER INFORMATION: X is proline  
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 289 <221> NAME/KEY: MISC\_FEATURE  
 290 <222> LOCATION: (4)..(4)  
 291 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 292           nine  
 295 <220> FEATURE:  
 296 <221> NAME/KEY: MISC\_FEATURE  
 297 <222> LOCATION: (5)..(5)  
 298 <223> OTHER INFORMATION: X is an amino acid chosen from alanine, serine, glycine and  
 threo  
 299           nine  
 302 <400> SEQUENCE: 5  
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 305 1           5  
 308 <210> SEQ ID NO: 6  
 309 <211> LENGTH: 37  
 310 <212> TYPE: PRT  
 311 <213> ORGANISM: ARTIFICIAL SEQUENCE  
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 314 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE  
 316 <400> SEQUENCE: 6  
 318 Ala Ser Cys Asn Gly Val Cys Ser Pro Phe Glu Met Pro Pro Cys Gly  
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 322 Thr Ser Ala Cys Arg Cys Ile Pro Val Gly Leu Val Ile Gly Tyr Cys  
 323           20           25           30  
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 327           35  
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 333 <213> ORGANISM: ARTIFICIAL SEQUENCE  
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 336 <223> OTHER INFORMATION: SYNTHETIC PEPTIDE  
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 340 Ala Ser Cys Asn Gly Val Cys Ser Pro Phe Glu Met Pro Pro Cys Gly  
 341 1           5           10           15  
 344 Thr Ser Ala Cys Arg Cys Ile Pro Val Gly Leu Val Val Gly Tyr Cys  
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 348 Arg Asn Pro Ser Gly  
 349           35  
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 353 <211> LENGTH: 37  
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RAW SEQUENCE LISTING ERROR SUMMARY  
PATENT APPLICATION: US/09/674,496A

DATE: 11/07/2002  
TIME: 15:36:05

Input Set : A:\199463USOXPCT.ST25.txt  
Output Set: N:\CRF4\11072002\I674496A.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:1; Xaa Pos. 1, 3, 5, 7, 9, 11, 13  
Seq#:2; Xaa Pos. 1, 2, 3, 4, 5, 6, 7  
Seq#:3; Xaa Pos. 1, 2, 3, 4  
Seq#:4; Xaa Pos. 1, 2, 3, 4, 5, 6, 7, 8, 9  
Seq#:5; Xaa Pos. 1, 2, 3, 4, 5

File Edit Explorer Reports Tools Window Help

Patent Case Information for Docket #: 199463US-369-384-0-X PCT, Application #: 09/674,496, Actions: Actions

General Case Information  
 Actions  
 Inventors  
 Clients/Entities  
 Attorneys  
 Assignments  
 File Folders  
 Incoming Correspondence  
 Outgoing Correspondence  
 PTO Mail  
 Images  
 Filing Receipts  
 Parent Cases  
 Children Cases  
 Specification Information  
 Terminal Disclaimers  
 PTO Filings

Actions and Due Dates

Due Dates

Show All Show Outstanding

Due Date Description	Indicator	Due Date	Date Taken	No Action Taken	Ext Max	Ext Used	Remarks
Priority File By (30 mos)	Final	11/11/2000	11/13/2000				
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Declaration Due	Due Date	01/11/2001	01/11/2001				
OFR Rcvd	Status	07/11/2001	03/08/2001				
Restriction Resp (1st)	Due Date	05/14/2002	05/14/2002				
Seq List Req	Due Date	08/18/2002	08/19/2002				
Seq List Req	Due Date	10/24/2002	10/24/2002				1 Mo
Resp to Non-Resp	Due Date	02/06/2003	02/06/2003				
Pet to W/D Aband	Due Date	06/22/2003	00/00/0000				
Office Action	Status	09/30/2003	00/00/0000				

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